

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:	)	<b>Mail Stop AF</b>
	)	
Isaac K. ELLIOTT et al.	)	Group Art Unit: 2419
	)	
Application No.: 09/879,983	)	Examiner: M. Phan
	)	
Filed: June 14, 2001	)	
	)	
For: SYSTEM AND METHOD FOR PROVIDING	)	
REQUESTED QUALITY OF SERVICE IN A	)	
HYBRID NETWORK	)	

**NOTICE OF APPEAL**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AF  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The Notice of Appeal filed October 12, 2007 is hereby re-instated given all rejected claims in the decision of the Primary Examiner dated January 6, 2009. All rejected claims are hereby appealed to the Board of Patent Appeals and Interferences.

☒ The Appeal fee was previously paid on September 21, 2006. However, the Commissioner is hereby authorized to charge the \$40.00 difference between the current Notice of Appeal filing and the Notice of Appeal filing done on September 21, 2006 (\$500.00 was charged at that time) to Deposit Account No. 50-1070. Given this, the Applicants will not be making a separate payment through the EFS system for this current Notice of Appeal filing.

☐ Please charge the Appeal fee of ☐ \$270.00 ☐ \$540.00 to Credit Card.

☐ Please charge the Appeal fee of ☐ \$270.00 ☐ \$540.00 to Deposit Account No. 50-1070.

The Commissioner is hereby authorized to charge any other appropriate fees that may be required by this paper that are not accounted for above, and to credit any overpayment, to Deposit Account No. 50-1070.

Respectfully submitted,

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Date: May 5, 2009

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	5277425
<b>Application Number:</b>	09879983
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6036
<b>Title of Invention:</b>	System and method for providing requested quality of service in a hybrid network
<b>First Named Inventor/Applicant Name:</b>	Isaac K. Elliott
<b>Customer Number:</b>	25537
<b>Filer:</b>	John Harrity/Brooke Fredrick
<b>Filer Authorized By:</b>	John Harrity
<b>Attorney Docket Number:</b>	VON96046C1
<b>Receipt Date:</b>	05-MAY-2009
<b>Filing Date:</b>	14-JUN-2001
<b>Time Stamp:</b>	15:23:43
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	VON96046C1_Notice_of_Appeal.pdf	79400 28d48a333b5351e9cb975caf71677946b5683b12	no	1

### Warnings:

### Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.